

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BUTTE DIVISION**

L. KEELEY CONSTRUCTION CO., an  
Illinois corporation,

Plaintiff,

vs.

DEVELOPERS SURETY AND  
INDEMNITY COMPANY, a California  
corporation, THE OHIO CASUALTY  
INSURANCE COMPANY, an Ohio  
corporation, and WEATHERGUARD  
CORPORATION, a Montana  
corporation,,

Defendants.

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DEVELOPERS SURETY AND  
INDEMNITY COMPANY, a California  
corporation, and THE OHIO  
CASUALTY INSURANCE COMPANY,  
an Ohio corporation,

Third-Party Plaintiffs,

vs.

WEATHERGUARD CORPORATION, a  
Montana corporation, and VAN SMITH,

Third-Party Defendants.

No. CV-19-39-BU-SEH

**ORDER**

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Third-Party Defendant, Van Smith, having filed a Notice of Filing

Bankruptcy,<sup>1</sup>

**ORDERED:**

All proceedings in this case are STAYED pending further order of the Court.<sup>2</sup>

**FURTHER ORDERED:**

1. On or before February 5, 2021, Smith shall file a report updating the Court and the parties as to the status and progress of proceedings in Bankruptcy Court cause *In re Van Earl Smith*, 4:20-bk-40079-13.

2. Until otherwise ordered by the Court, Smith shall file supplemental updates as to the status and progress of proceedings in Bankruptcy Court cause *In re Van Earl Smith*, 4:20-bk-40079-13 every six months after February 5, 2021.

DATED this 9<sup>th</sup> day of September, 2020.

  
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SAM E. HADDON  
United States District Court

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<sup>1</sup> See Doc. 42 and see *In re Van Earl Smith*, 20-bk-40079-13.

<sup>2</sup> See 11 U.S.C. § 362.